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Kerala Gazette Extraordinary No. 76 dated 6-6-1958.

Election Department.

NOTIFICATION

Dated, Trivandrum, 6th June 1958.

No. 963/58/EL2.

In pursuance of Rule 2 (C) of the Representation of the People (Preparation of Electoral Rolls) Rules, 1956, Government are pleased to nominate the officers specified in column (1) of the table below as Revising Authorities in respect of the Assembly Constituencies or parts thereof, specified in the corresponding entries in column (2) of the table.

By order of the Governor,

P. NARAYANASWAMI,

Additional Secretary to Government and Chief Electoral Officer.

TABLE

Officers (1)	*Assembly Constituencies* (2)
Revenue Divisional Officer, Trivandrum.	1. Parassala
	2. Neyyattinkara
	3. Vilappil
	4. Nemom
	5. Trivandrum-I
	6. Trivandrum-II
	7. Ullur
	8. Arianad
	9. Nedumangad
	10. Attingal
	11. Varkala
Revenue Divisional Officer, Quilon	12. Eravipuram
	13. Quilon
	14. Thrikkadavur
	15. Karunagapally
	16. Krishnapuram
	22. Kottarakara
	23. Chadayamangalam
Revenue Divisional Officer, Adoor	21. Kunnathur
	24. Pathanapuram
	25. Punalur
	26. Ranni
	27. Pathanamthitta
Revenue Divisional Officer, Alleppey	17. Kayamkulam
	18. Karthigapally
	19. Haripad
	32. Alleppey
	33. Mararikulam
	34. Shertallai
	35. Arur
	36. Thakazhi

Officers (1)	*Assembly Constituencies* (2)
Revenue Divisional Officer, Chengannur	20. Mavelikara
	28. Aranmula
	29. Kallooppara
	30. Thiruvella
	31. Chengannur
Revenue Divisional Officer, Kottayam	37. Changanacherry
	38. Vazhur
	40. Puthupally
	41. Kottayam
	42. Ettumannoor
	43. Meenachil
	44. Vaikom
	45. Kaduthuruthy
	51. Poonjar
	52. Puliyannur
Revenue Divisional Officer, Devicolam	39. Kanjirapally
Revenue Divisional Officer, Muvattupuzha	46. Ramamangalam
	47. Muvattupuzha
	49. Thodupuzha
	50. Karikode
	58. Alwaye
	59. Perumbavoor
Revenue Divisional Officer, Ernakulam	53. Palluruthy
	54. Mattancherry
	55. Narakkal
	56. Ernakulam
	57. Kanayannur
	60. Kothakulangara
	61. Parur
	62. Vadakkekara
Revenue Divisional Officer, Trichur	63. Crangannore
	65. Irinjalakuda
	66. Manalur
	67. Trichur
	68. Ollur
	69. Kunnamkulam
	70. Wadakkancherry
	71. Nattika
	72. Guruvayur
Revenue Divisional Officer, Ottapalam	73. Andathodu
	74. Ponnani
	81. Mannarghat
	82. Perinthalmanna
	83. Ottapalam
	84. Pattambi
	85. Mankada

Officers (1)	Assembly Constituencies (2)
Revenue Divisional Officer, Palghat	75. Kuzhalmannam
	76. Alathur
	77. Chittur
	78. Elapully
	79. Palghat
	80. Parli
Revenue Divisional Officer, Malappuram	86. Tirur
	87. Tanur
	88. Kuttipuram
	89. Thirurangady
	90. Malappuram
	91. Manjeri
	92. Kondotty
Revenue Divisional Officer, Kozhikode	93. Kozhikode-1
	94. Kozhikode-2
	95. Chevayur
	96. Kunnamangalam
	97. Koduvally
	98. Balusserry
	99. Quilandy
	100. Perambra
	101. Badagara
	102. Nadapuram
	103. Wynad
Revenue Divisional Officer, Tellicherry	104. Kuttuparamba
	105. Mattanur
	106. Tellicherry
	107. Cannanore-I
	108. Cannanore-II
	109. Madai
Revenue Divisional Officer, Kasergode	110. Irikkur
	111. Nileswar
	112. Hosdurg
	113. Kasergode
	114. Manjeswar

Note :— The Revenue Divisional Officers of Muvattupuzha and Trichur were appointed as Revising Authorities for 48-Devicolam and 64 - Chalakudy Assembly Constituencies respectively as per Notification No. 963/58/EL2 dated 28th February 1958 published in Gazette Extraordinary dated 28th February 1958.

Kerala Gazette Extraordinary No. 76 dated 6-6-1958.

Law Department

NOTIFICATION.

No. 1307/58/Law (B4).

Dated, Trivandrum, the 6th June 1958.

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the President on the 31st May 1958.

By order of the Governor,
P. NARAYANASWAMI,
Additional Law Secretary.

ACT 30 OF 1958

THE KERALA STAY OF EVICTION PROCEEDINGS (AMENDMENT) ACT, 1958

An

ACT

further to amend the Kerala Stay of Eviction Proceedings Act, 1957.

Preamble.—WHEREAS it is expedient further to amend the Kerala Stay of Eviction Proceedings Act, 1957, for the purposes hereinafter appearing;

BE it enacted in the Ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Stay of Eviction Proceedings (Amendment) Act, 1958.

(2) It shall come into force at once.

2. *Amendment of section 1.*—In sub-section (3) of section 1 of the Kerala Stay of Eviction Proceedings Act, 1957 (Act 1 of 1957), hereinafter referred to as the principal Act, for the words, figures and letters "the 11th day of April 1958", the words, figures and letters "the 11th day of April 1959" shall be substituted.

3. *Amendment of section 2.*—In section 2 of the principal Act, for clause (3), the following clause shall be substituted, namely:—

"(3) "Kudikidappukaran" means a person who has no homestead or land of his own to erect a homestead and—

(i) who has been permitted with or without an obligation to pay rent by an owner of land to have the use and occupation of a portion of the land in his possession for the purpose of erecting a homestead, or

(ii) who is in occupation of a hut constructed by a person owning and possessing the land in which the hut is situated and who has been permitted by such person to occupy the hut with or without an obligation to pay rent,

but otherwise has no interest in the land; and "Kudikidappu" means the land and the homestead or the hut so permitted to be erected or occupied together with the easements attached thereto, and includes an ulkudi.

Explanation I.—Any person who was in occupation of a kudikidappu on the commencement of the Kerala Stay of Eviction Proceedings Ordinance, 1957, shall be deemed to be in occupation of such kudikidappu with permission as required under this clause.

Explanation II.—For the purpose of this clause, "hut" means any dwelling house which has a value not exceeding four hundred rupees;".

4. *Amendment of section 4.*—In section 4 of the principal Act, the following proviso shall be added, namely:

"Provided that nothing in this section shall preclude the recovery of the rent or any instalment of rent if according to custom, usage or agreement, such rent or instalment of rent is payable and accruing after the day on which the Kerala Stay of Eviction Proceedings Ordinance, 1957, came into force.

5. *Insertion of new sections 7-A and 7-B.*—After section 7 of the principal Act the following new sections shall be inserted, namely:

"7-A. *Disputes regarding right to cultivate land.*—(1) Any person claiming to be in possession and cultivating under section 4 or claiming to be entitled to cultivate any land under section 6 or section 7 if prevented or obstructed from cultivating the land, may apply to the Tahsildar of the taluk in which the land is situate for an order that he is so entitled.

(2) The Tahsildar shall, on receipt of an application under subsection (1) and after such enquiry as he deems necessary and after issue of notice to the opposite party, by order, decide whether the applicant is entitled to cultivate the land under section 4 or section 6 or section 7, and if he is so entitled, restore him to possession and allow him to cultivate the land.

(3) Where any person who, under an order of the Tahsildar under subsection (2), is entitled to cultivate the land, is prevented or obstructed from so cultivating, the person who causes

such prevention or obstruction shall, on conviction, be punishable with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 500 or with both.

(4) Nothing in this section shall be held to prevent a party deeming himself aggrieved by any decision or order passed or proceedings taken by the Tahsildar from seeking his remedy in a court of law.

7-B. *Interim order of injunction to be vacated in certain circumstances.*—Where any court has passed an interim order of injunction without giving notice to the opposite party and thereupon the opposite party enters appearance disputing the possession of the plaintiff and offering to adduce evidence to prove his possession or his right to cultivate the land under section 6 or section 7, the injunction order shall stand vacated pending final orders on the application for injunction.".

6. *Omission of section 9.*—Section 9 of the principal Act shall be omitted.